

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 16, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER PROUD WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: The Board of County Commissioners recognized Carol Kormelink, a Milford, Ohio resident, who received the Distinguished Toastmasters Medal from Toastmasters International on November 14, 2009 at the District 40 Fall Conference in Athens, Ohio. Toastmasters International is the world's largest, non-profit organization devoted to helping members improve their communication, public speaking and leadership skills. This award is the highest the organization bestows and it recognizes a Toastmaster's advanced communication and leadership skills. Ms. Kormelink is currently President of T.A.L.K. Toastmasters, a community club serving Milford, Loveland and surrounding areas.

LET THE RECORD SHOW: A MOTION BY MR. CROSWELL, SECONDED BY MR. HUMPHREY, TO GO INTO EXECUTIVE SESSION AT 1:07 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LITIGATION, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 1:20 P.M. WITH NO ACTION TAKEN.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH MARYHAVEN, INC. FOR THE PROVISION OF RESIDENTIAL TREATMENT AND OTHER TREATMENT SERVICES FOR SAME...09-1207-007...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the Purchase of Service Agreement by and between the County of Clermont, Ohio, and Maryhaven, Inc., 1791 Alum Creek Drive, Columbus, Ohio 43207 for the provision of residential treatment services and other treatment services for children in the care and/or custody of the Department of Job and Family Services and/or Juvenile Court, at the rate of \$104.00 per day for residential treatment, plus treatment service rates as defined therein, effective for the period of 07/01/09 through 06/30/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH THE PRESSLEY RIDGE SCHOOLS FOR THE PROVISION OF TREATMENT FOSTER CARE SERVICES FOR SAME...09-1207-006...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the Purchase of Service Agreement by and between the County of Clermont, Ohio, and The Pressley Ridge Schools, 7162 Reading Road, Suite 900, Cincinnati, Ohio 45237 for the provision of treatment foster care services for children in the care and/or custody of the Department of Job and Family Services and/or Juvenile Court, at the rate of \$82.21, effective for the period of 10/01/09 through 09/30/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILD SUPPORT ENFORCEMENT DIVISION...AMENDMENT TO THE IV-D SERVICE CONTRACT WITH THE CLERMONT COUNTY COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION FOR THE PURCHASE OF SERVICES FOR SAME...09-0217-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute an Amendment to the IV-D Service Contract by and between the County of Clermont, Ohio, and the Clermont County Court of Common Pleas/Domestic Relations Division, 2340 Clermont Center Drive, Suite 200, Batavia, Ohio 45103, previously ratified by the Board on 02/25/09, to increase the unit rate from \$129.68 to \$130.29, increase the number of IV-D units purchased from 600 to 700, and increase the total amount of the contract from \$77,808.00 to \$91,204.46, effective 10/01/09, with all other terms and conditions of the original contract to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH ADOPTING CHILDREN TODAY INFORMATION OPTION NETWORK (ACTION, INC.) FOR THE PROVISION OF ADOPTION SERVICES FOR SAME...09-1207-005...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Adopting Children Today Information Option Network (ACTION, Inc.), 6000 Philadelphia Drive, Dayton, Ohio 45415 for the provision of adoption services for a specific child in the permanent custody of the Department of Job and Family Services, at the rate of \$2,000.00 upon placement of the child and \$2,000.00 upon court finalization, for a total amount not to exceed \$4,000.00, effective 12/16/09 through 12/15/10, including, but not necessarily limited to, face-to-face visits in the adoptive home by the ACTION, Inc. adoption worker, monitoring the supportive services and providing written reports to the Clermont County Department of Job and Family Services, pursuant to and in compliance with the terms and conditions specified therein and the issuance of the purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD OF BIDS FOR PROJECT NUMBER 651-0044 RELATIVE TO THE NINE MILE WASTEWATER TREATMENT PLANT BAR RACK REPLACEMENT PROJECT LOCATED WITHIN PIERCE TOWNSHIP AND EXECUTION OF CONTRACTS RELATIVE THERETO...09-0911-005 AND 09-1207-004...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Matthew S. Smith, P.E., P.S., Project Manager, with the concurrence of Lyle G. Bloom P.E., Sanitary Engineer, Clermont County Water Resources Department, to award the bids for Project Number 651-0044 relative to the Nine Mile Wastewater Treatment Plant Bar Rack Replacement Project located within Pierce Township, pursuant to the plans and specifications therefore, to Danis Industrial Construction Company, 3233 Newmark Drive, Miamisburg, Ohio 45342, for Contract Number 651-00441 for the New Bar Rack Complete Less Electrical in the amount of \$235,000.00 and to Allied Technical Services, Inc., 3460 Mustafa Drive, Cincinnati, Ohio 45241, for Contract Number 651-00444 for the New Bar Rack Electrical in the amount of \$16,075.00, which represent the lowest and best bids received therefore on 10/29/09 and, subsequent thereto, to execute the Contracts (Contract Numbers 651-00441 and 651-00444, respectively) relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bids therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RESOLUTION NUMBER 223-09/RESOLUTION ACCEPTING, APPROVING AND RATIFYING DETAILED PLANS, SPECIFICATIONS, ESTIMATES OF COST AND FINANCING, AND TENTATIVE ASSESSMENTS FOR PROJECT NUMBER 621-0051 RELATIVE TO THE DAMERON LANE WATER PETITION PROJECT LOCATED WITHIN UNION TOWNSHIP...09-1207-001...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt Resolution Number **223-09** accepting, approving and ratifying the detailed plans, specifications, estimates of cost and financing, and tentative assessments for proposed improvements to the County Waterworks System within the Clermont County Water Resources Department as set forth in Exhibit "A", attached thereto and made a part thereof, designated as Project Number 621-0051 and described as the construction of the Dameron Lane Water Petition Project situated within Union Township, and determining that special assessments are to be levied and collected to pay a portion of the costs of the project in the form of a Basic Benefit Assessment and an Improvement Assessment as outlined in Exhibit "B", attached thereto and made a part thereof, or General Obligation Bonds or Notes issued in anticipation thereof, and a portion of the costs paid as a contribution by the Clermont County Water Resources Department's Waterworks System Capital Improvement Fund, pursuant to Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 224-09/RESOLUTION DECLARING THE
NECESSITY FOR PROJECT NUMBER 621-0051 RELATIVE TO THE
CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE
DAMERON LANE WATER PETITION PROJECT SITUATED WITHIN
UNION TOWNSHIP AND AUTHORIZING PUBLICATION OF NOTICE
OF PUBLIC HEARING RELATIVE TO ENDORSEMENTS OF AND/OR
OBJECTIONS THERETO...09-1207-002...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt Resolution Number **224-09** declaring the necessity to construct improvements to the Clermont County Waterworks System for Project Number 621-0051 consisting of constructing, maintaining, and operating the Dameron Lane Water Petition Project situated within Union Township, as set forth in Exhibits A and B, attached thereto and made a part thereof, and as more particularly described in the detailed plans, specifications, estimates of cost and financing, and tentative assessments which are on file in the Office of the Clermont County Water Resources Department, 4400 Haskell Lane, Batavia, Ohio 45103 where they may be examined by all persons interested therein and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation for two consecutive weeks commencing on 12/24/09, to publish the date, time, and place designated by the Board of County Commissioners where endorsements of and/or objections to the construction and financing of the aforesaid proposed improvements will be heard pursuant to Chapter 6103 of the Ohio Revised Code. Public Hearing to be held at **2:00 P.M. Local Time on Wednesday, 01/27/10**, at the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH HOWELL
CONTRACTORS, INC. FOR PROJECT NUMBER 621-0023 RELATIVE
TO THE MT. CARMEL/OLD STATE ROUTE 74 WATER MAIN
REPLACEMENT PROJECT LOCATED WITHIN UNION
TOWNSHIP...08-0613-006...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute Change Order Number 1 to the Contract with Howell Contractors, Inc., 980 Helen Ruth Drive, Fort Wright, Kentucky 41017, previously ratified by the Board of County Commissioners on 09/16/08, for Project Number 621-0023 relative to the Mt. Carmel/Old SR 74 Water Main Replacement Project located within Union Township, which represents a decrease in the amount of \$155,245.15, for a total adjusted contract price to date of \$640,036.85 and an extension of time of 28 calendar days for a revised contract completion date of 04/24/09 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RELEASE OF MAINTENANCE BONDS AS SURETY FOR THE
INSTALLATION OF WATER MAIN EXTENSIONS AND ACCEPTANCE
OF SAME INTO THE COUNTY WATERWORKS SYSTEM...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to authorize the release of Maintenance Bonds which provided surety for the installation of water main extensions to serve the following subdivisions/locations and to accept said water main extensions into the County Waterworks Systems pursuant to the Clermont County Water Resources Department Rules and Regulations:

Subdivision/Location	Township	Water Bond
The Polo Fields Subdivision Part 18 DC# 05-0407-009	Union	\$3,800.00
The Polo Fields Subdivision Part 18C DC# 06-0927-003 *Secured by Official Check Number 3449 issued by First Clermont Bank, 400 Technecenter Drive, Milford, Ohio 45150 on behalf of Beechwood Partners	Union	\$2,000.00*
Locust Lake Estates Subdivision DC# 08-0918-001 *Secured by Official Check Number 004387 issued on 09/09/08 by Forcht Bank, 6100 First Financial Drive, Burlington, Kentucky 41005-7868 on behalf of JTD Realty Investment, LLC	Pierce	\$1,800.00*
Mt. Moriah Village DC# 07-0829-002	Union	\$1,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...GRANT
OF WATER EASEMENT WITH RIGHT OF RE-ENTRY FOR REPAIR
AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO
THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 621-
0030 RELATIVE TO THE TEALTOWN/SUGAR CAMP TRANSMISSION
MAIN PROJECT LOCATED IN UNION TOWNSHIP....09-1207-
003...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to accept the following Grant of Water Easement with Right of Re-entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing or reinstalling water utility lines and all incidental appurtenances required for the transportation of water in, on, under, and across the property of the Grantor for Project Number 621-0030 relative to the Tealtown/Sugar Camp Transmission Main Project located in Union Township, and further to authorize the County Auditor to remit payment in the amount as outlined below and as indicated on the Settlement Sheet attached thereto as compensation for the Permanent Easement and Right-of-Way granted thereby and relative thereto, and to remit payment payable to J. Robert True, Clermont County Treasurer, in the amount of \$28.00 for the recording fees required relative thereto:

Grantor	Parcel Number	Compensation
Vincent C. and Candace P. Steinwert 5594 Whitcomb Drive Liberty Township, Ohio 45011	40-31-08A-001 Property Location: Binning Road	Perm \$2,299.45

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...GRANT OF SEWER EASEMENT WITH RIGHT OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, RELATIVE TO PARCEL NUMBER 40-31-08C-052. LOCATED AT 1066 ROUND BOTTOM ROAD IN UNION TOWNSHIP...09-1210-002...ACCEPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Paul Braasch, Director, Office of Environmental Quality, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to accept a Grant of Sewer Easement with Right of Re-Entry for Repair and Replacement consisting of 0.1663 acres of real property relative to Parcel Number 40-31-08C-052. located at 1066 Round Bottom Road in Union Township heretofore granted and conveyed to the County of Clermont, Ohio, by Robert and Patricia Emmert, 1007 Clough Pike, Cincinnati, Ohio 45245, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing or reinstalling sewer utility lines and all incidental appurtenances required for the transportation of sewage in, on, under and across the referenced property of the Grantor, and to authorize the County Auditor to remit payment payable to. J. Robert True, Clermont County Treasurer, in the amount of \$36.00 for the recording fees required relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION NUMBER 225-09/RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL...09-1208-001...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number **225-09** resolving to accept the recommendations of the Tax Incentive Review Council, subsequent to their Annual Review of the Active 2008 Enterprise Zone, Community Reinvestment Area, and Tax Increment Financing Agreements and their findings in and as it relates thereto, a copy of which is attached thereto and made a part thereof, pursuant to and in compliance with Section 5709.85 of the Ohio Revised Code, and further to direct Andrew T. Kuchta to proceed to have prepared the necessary legislation for final disposition thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION NUMBER 226-09/RESOLUTION TERMINATING AN ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF BATAVIA TOWNSHIP, CLERMONT COUNTY, OHIO, THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY, OHIO, AND AMERICAN MICRO PRODUCTS, INC. FOR THE EXEMPTION OF PERSONAL PROPERTY TAXES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ENTERPRISE ZONE IN THE COUNTY OF CLERMONT, OHIO...05-0426-001...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Clermont County Tax Incentive Review Council to adopt Resolution Number **226-09** resolving to terminate an Enterprise Zone Agreement by and between the Board of Trustees of Batavia Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, and American Micro Products, Inc., an Ohio Corporation with its main offices located at 4288 Armstrong Boulevard, Batavia, Ohio 45103, previously ratified by the Board of County Commissioners on 04/27/05, which granted a fifty percent (50%) tax exemption for seven (7) years on tangible personal property improvements made as part of the PROJECT, as identified in the referenced Agreement, said exemptions commencing no later than Tax Year 2008 and not extending beyond Tax Year 2014, pursuant to Section 5709.61 through 5709.69 inclusive of the Ohio Revised Code and in compliance with the terms and conditions set forth therein in consideration of the investment to be made by American Micro Products, Inc., for the expansion and retention of economic development, as well as, the preservation and creation of employment opportunities within the designated boundaries of the Rural Jobs and Enterprise Zone in the County of Clermont, Ohio, **in as much as American Micro Products, Inc. requested the termination of the Agreement**, and to direct the Clerk of the Board to forward said Resolution to terminate the Agreement by and between the Board of Trustees of Batavia Township, Clermont County, Ohio, the Board of Commissioners of Clermont County, Ohio, and American Micro Products, Inc. to the Ohio Department of Development, the Ohio Department of Taxation, and the Clermont County Auditor.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...GRANT AGREEMENT WITH THE SOUTHERN OHIO AGRICULTURAL AND COMMUNITY DEVELOPMENT FOUNDATION FOR FUNDING FOR SOFTWARE DEVELOPMENT...09-1014-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Grant Agreement by and between the County of Clermont, Ohio, and the Southern Ohio Agricultural and Community Development Foundation, 100 South High Street, P.O. Box 47, Hillsboro, Ohio 45133 for funding in the amount of \$10,000 for the development of a web-based geographic information system to provide a property database and demographic mapping system for business attraction and retention services in Clermont County pursuant to and in compliance with the terms and conditions set forth therein and in concert with the Grant Application therefore ratified by the Board of County Commissioners on 10/21/09.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...APPLICATION DEVELOPMENT SERVICES AGREEMENT WITH ATLAS ADVERTISING, LLC. FOR THE DEVELOPMENT OF A WEB-BASED GEOGRAPHIC INFORMATION SYSTEM FOR BUSINESS ATTRACTION AND RETENTION IN CLERMONT COUNTY...09-1208-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute an Application Development Services Agreement by and between the County of Clermont, Ohio, and Atlas Advertising, LLC., 2601 Blake Street, Suite 301, Denver, Colorado 80205 for the development of a web-based geographic information system, to provide a property database, business and industry database, and demographic mapping system for business attraction and retention services in Clermont County, Ohio, for a total amount not to exceed \$17,500.00, effective 12/16/09 and to remain in effect until the completion of all Consultant's Services, pursuant to the terms and conditions set forth therein and in compliance with section 307.07 (B)(2) of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...CHANGE ORDER NUMBER 2 TO THE GENERAL TRADES CONTRACT RELATIVE TO THE CLERMONT COUNTY COMMUNICATIONS CENTER BUILDING EXPANSION AND REMODEL PROJECT LOCATED IN BATAVIA TOWNSHIP...08-1029-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 2 to the General Trades Contract by and between the County of Clermont, Ohio, and Valor Construction Co., Inc., 1128 Ohio Pike, Amelia, Ohio 45102-9306, previously ratified by the Board of County Commissioners on 02/11/09, and subsequently amended on 10/7/09, relative to the Clermont County Communications Center Building Expansion and Remodel

Project located within Batavia Township, which represents a net decrease in the amount of \$1,308.32 for a total adjusted contract price to date of \$961,531.41 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES...RESOLUTION AUTHORIZING THE EXECUTION OF THE STATE NOTICE OF AWARD/GRANT AGREEMENT WITH THE OHIO EMERGENCY MANAGEMENT AGENCY (OEMA) FOR THE FISCAL YEAR 2008 STATE HOMELAND SECURITY CITIZEN CORPS PROGRAM AND DESIGNATION OF AUTHORITY TO ADMINISTER SAID PROGRAM ...09-0821-002...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to authorize Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute, for and on behalf of the Board of Clermont County Commissioners, the State Notice of Award/Grant Agreement (Sub-Grantee Grant Agreement Number 0000019989), including all documents relative thereto, with the Ohio Emergency Management Agency (OEMA), 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2206 for the Fiscal Year 2008 State Homeland Security Citizen Corps Program in the amount of \$4,750.00 for the operation and enhancement of the Clermont County Citizens Corps Council, to work as the Citizen's arm of the Homeland Security Program, and to assist in the planning, response and recovery from a possible terrorism incident, effective 09/01/08 through 3/31/11 and further to designate Stephen H. Rabolt to administer the referenced program, pursuant to and in compliance with the terms and conditions set forth therein and in concert with the Grant Application heretofore ratified by the Board of County Commissioners on 08/24/09.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH NEYRA CONSTRUCTION, INC., DBA NEYRA PAVING FOR PROJECT NUMBER 2008-06 RELATIVE TO THE VILLAGE OF WILLIAMSBURG NORTH 8TH – WEST MAIN STREETS SIDEWALK PROJECT IN CONCERT WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA PROGRAM FOR FISCAL YEAR 2008...09-0611-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ray Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute Change Order Number 1 to the Contract with Neyra Construction, Inc., dba Neyra Paving, 10750 Evendale Drive, Cincinnati 45241, previously ratified by the Board of County Commissioners on 09/28/09, for Project Number 2008-06 relative to the Village of Williamsburg North 8th – West Main Streets Sidewalk Project, in concert with the Community Development Block Grant Formula Program for Fiscal Year 2008, which represents an increase in the amount of \$4,000.00, for a total adjusted contract price to date of \$50,747.00, for additions, deletions and/or

modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND
DEVELOPMENT...RESOLUTION NUMBER 227-09/ RESOLUTION
AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2008 FOR THE
COUNTY OF CLERMONT, OHIO, AND AUTHORIZING THE
EXECUTION OF THE OHIO DEPARTMENT OF DEVELOPMENT
AMENDMENT FORM RELATIVE THERETO...08-0516-001...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number **227-09** resolving to amend the Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2008, for the County of Clermont, Ohio, previously ratified by the Board of County Commissioners on 09/24/08, to reallocate the budget as follows; and further, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute the Ohio Department of Development Amendment Form relative thereto, pursuant to and in compliance with the Ohio Department of Development/Small Cities Community Development Block Grant (CDBG) Formula Program:

Project	Original Budget	Revised Budget
Village of New Richmond Front Street Revitalization Phase I Project	\$110,000	\$104,575
Clermont County Board of Health Septic System Abandonment and Rehabilitation Program	\$125,000	\$110,600
Village of Williamsburg North 8 th – West Main St Sidewalk Project	\$50,000	\$57,850
Wayne Township Fire Department Ambulance	\$85,000	\$85,000
Village of Newtonsville Storm Drainage/Road Improvements	\$104,000	\$126,075
Clermont County Senior Services Site Prep/Kitchen Facility Project	\$50,000	\$50,000
Fair Housing/ General Administration	\$131,000	\$120,900
Total	\$655,000	\$655,000

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: COUNTY ENGINEER...REQUEST TO INITIATE PROCEDURES TO
VACATE CORNSTALK LANE SITUATED WITHIN UNION TOWNSHIP
AND PUBLICATION OF LEGAL NOTICE RELATIVE TO THE
VIEWING AND FINAL HEARING THEREON...09-1204-001...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the request of Craig Risner, Deputy Surveyor, for Patrick J. Manger, County Engineer, to initiate procedures to vacate Cornstalk Lane situated within Union Township, Clermont County, Ohio, pursuant to Section 5553.04 of the Ohio Revised Code and further resolve to authorize the Clerk of the Board to place Legal Notice in the Clermont Sun for

two consecutive weeks commencing **Thursday, December 24, 2009**, designating the date and time of the Viewing and the date, time, and location of the Final Hearing for the proposed vacation thereon pursuant to Section 5553.05 of the Ohio Revised Code. The **Viewing and Final Hearing** on the Proposed Vacation of Cornstalk Lane situated within Union Township to be held on **Monday, January 25, 2010**, with the **Viewing at 11:00 A.M. Local Time** and the **Final Hearing at 1:30 P.M. Local Time** in the Office of the Board of County Commissioners, Clermont County, Ohio, 101 East Main Street, Batavia, Ohio 45103-2960.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: COUNTY ENGINEER...ORCHARD VALLEY SUBDIVISION/SECTION SEVEN/MIAMI TOWNSHIP...RESOLUTION NUMBER 228-09/ RESOLUTION AUTHORIZING THE CONVERSION OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...04-0507-006...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **228-09** to convert the Combined Performance-Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Miami Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision/Location	Performance-Maintenance Bond	Street/Length (miles)
Orchard Valley Subdivision Section Seven Miami Township	\$33,000.00/\$8,000.00	Wild Cherry Drive (0.041) Hoffman Road (0.00)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: COUNTY ENGINEER...LEXINGTON RUN SUBDIVISION/BATAVIA TOWNSHIP...RELEASE OF A COMBINED PERFORMANCE- MAINTENANCE BOND AND ACCEPTANCE OF STREETS INTO THE BATAVIA TOWNSHIP PUBLIC ROAD SYSTEM...04-1208-002...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the maintenance bond phase, for the following subdivision within Batavia Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Batavia Township Public Road System:

Subdivision	Maintenance Bond	Street/Length (miles)
Lexington Run Subdivision Bugler's Sound, Phase 1 Batavia Township	\$47,000.00	Bugler's Sound Circle (0.103) Keeneland Run (0.165)
Lexington Run Subdivision Saddletop Ridge, Phase 1 Batavia Township		Saddletop Ridge (0.105) Stablehand Drive (0.085) Sprinter's Crossing (0.072) Steeplechase Drive (0.103)
Lexington Run Subdivision Champion's Crossing, Phase 1 Batavia Township		Bugler's Sound Circle (0.117) Champions Crossing (0.143)
Lexington Run Subdivision Twin Spires, Phase 1 Batavia Township		Horseshoe Bend (0.309) Bluegrass Boulevard (0.029)
*Secured by Irrevocable Standby Letter of Credit Number SLCLSTL01489 issued by U.S. Bank National Association, International Dept., SL-MO-L2IL, 8th and Locust Streets, St. Louis, Missouri 63101		Citation Court (0.171) Twin Spires Drive (0.049)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: COUNTY ENGINEER...LEXINGTON RUN SUBDIVISION/SECTION 3/
BATAVIA TOWNSHIP...RELEASE OF A COMBINED PERFORMANCE -
MAINTENANCE BOND AND ACCEPTANCE OF STREETS INTO THE
BATAVIA TOWNSHIP PUBLIC ROAD SYSTEM...05-0902-
011...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the maintenance bond phase, for the following subdivision within Batavia Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Batavia Township Public Road System:

Subdivision	Maintenance Bond	Street/Length (miles)
Lexington Run Subdivision Section 3 Batavia Township	\$8,000.00	Steeplechase Drive (0.02) Saddletop Ridge (0.04) Stablehand Drive (0.07)
*Secured by Irrevocable Standby Letter of Credit Number SLCLSTL01893 with Amendment No. 1, Amendment No. 2, and Amendment No. 3 issued by US Bank, National Association, International Department SL-MO- L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101		

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: COUNTY ENGINEER...PERMANENT EASEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, RELATIVE TO PARCEL NUMBER 40-31-08C-052. LOCATED AT 1066 ROUND BOTTOM ROAD IN UNION TOWNSHIP...09-1210-003...ACCEPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent Easement heretofore granted and conveyed to the County of Clermont, Ohio heretofore granted and conveyed to the County of Clermont, Ohio for roadway purposes relative to Parcel Number 40-31-08C-052. located at 1066 Round Bottom Road in Union Township consisting of 0.1410 acres of real property and to authorize the County Auditor to remit payment payable to J. Robert True, Clermont County Treasurer, in the amount of \$36.00 for the recording fees required relative thereto:

Grantor	Parcel Number	Compensation
Robert R. and Patricia R. Emmert 1007 Clough Pike Cincinnati, Ohio 45245	40-31-08C-052. Property Location: 1066 Round Bottom Road	Perm Donated

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...SATISFACTION OF MORTGAGE RELATIVE TO THE SEPTIC SYSTEM REHABILITATION FINANCING PROGRAM...09-1209-005...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas L. Blust, Chief Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Satisfaction of Mortgage, certifying that the mortgage as dated has been paid, satisfied, and authorized for release for the following property, as it relates to the Septic System Rehabilitation Financing Program in concert with the Ohio Department of Development Small Cities Community Development Block Grant, as outlined below:

Name/Address	Parcel Number(s)	Recorded/Dated
George L. Bates 1796 Concord Road Amelia, Ohio 45102	28-28-05C-023.	Mortgage Volume 1809 Pages 2346 – 2350 Dated 9/03/2004

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...FY 2010 RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANT PROGRAM APPLICATION FOR FUNDING THROUGH THE STATE OF OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE PROJECT ENTITLED CLERMONT COUNTY JAIL TREATMENT...09-1216-002...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to authorize the electronic submittal of a FY 2010 Residential Substance Abuse Treatment Grant Program Application for funding through the State of Ohio Office of Criminal Justice Services, 1970 West Broad Street, Columbus, Ohio 43223 for **Grant Number 2009-RS-SAT-T12108** for the Project entitled Clermont County Jail Treatment, with the Board of County Commissioners to be the implementing agency therefore, in the amount of \$70,494.00, with a required local match in the amount of 25% of which a cash match in the amount of \$10,000.00 is to be provided from the General Fund with the balance to be provided as in kind services in and as it relates thereto, for a total project budget amount of \$111,418.20, for the period of 07/01/10 through 06/30/11, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
 ACTIONS FOR FISCAL YEAR 2009...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009:

\$ (1,000,000.00)	Public Assistance Fund Administration	204-6240-7000	Reimbursements/Transfers/Advances
\$ (450,000.00)	Public Assistance Fund Administration	204-6240-5300	Purchased Services
\$ (300,000.00)	Child Support Enforcement Administration Fund	228-6180-7000	Reimbursements/Transfers/Advances
\$ (613,159.00)	Community Development Block Grant Fund	229-7011-5300	Purchased Services
\$ (10,198.00)	Community Development Block Grant Fund	229-7011-5700	Materials & Supplies
\$ (2,500.00)	Community Development Block Grant Fund	229-7011-6100	Maintenance & Repair
\$ (114,050.00)	Community Development Block Grant Fund	229-7011-6600	Capital Outlay
\$ (65,312.00)	Community Development Block Grant Fund	229-7011-7000	Reimbursements/Transfers/Advances
\$ (6,000,000.00)	Planning & Development Fund	418-7019-6600	Capital Outlay
\$ (85,813.00)	Tealtown Park Joint Development Fund	432-9709-6600	Capital Outlay
\$ (96,500.00)	Lower East Fork Riparian Fund	433-9709-7000	Reimbursements/Transfers/Advances
\$ (58,000.00)	Fleet Maintenance Fund	811-8610-5300	Purchased Services
\$ (470,000.00)	Fleet Maintenance Fund	811-8610-5700	Materials & Supplies

\$ (4,000.00)	Fleet Maintenance Fund	811-8610-6100	Maintenance & Repair
\$ (100.00)	Fleet Maintenance Fund	811-8610-6300	Utilities
\$ (5,245.00)	Fleet Maintenance Fund	811-8610-6500	Debt Service

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: PERSONNEL ACTION FORMS...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Work Sessions of **11/02/09, 11/04/09, 11/18/09 and 12/09/09** carried with all members present voting affirmatively thereon.

IN RE: BOARD OF COUNTY COMMISSIONERS...SETTLEMENT OF CLAIM FILED BY ANITA NELSON-LARKIN FOR ALLEGED CONSTITUTIONAL VIOLATIONS IN CONCERT WITH THE FULL AND FINAL RELEASE AND SETTLEMENT AGREEMENT RELATIVE THERETO...09-1216-003...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Elizabeth Mason, Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to authorize settlement of claim and payment in the amount of \$4,469.52 to Anita Nelson-Larkin for any alleged act or omission which occurred before the date this Agreement becomes effective, including but not limited to claims of negligence, breach of contract, violation of the Age Discrimination in Employment in Employment Act of 1967, and specifically Title 29 U.S.C. § § 621 et. seq. and to dismiss pending OCRC charges No (DAY) 76 (20971) 11182009; to authorize David L. Spinney to execute the Full and Final Release and Settlement Agreement relative thereto; and further, to authorize the County Auditor to issue payment in the amount of \$2,820.60 from General Fund 100-1012-5524-6241, and payment in the amount of \$1,648.92 from Public Assistance Fund 204-6241-5117, for a total settlement amount of \$4,469.52 therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **12/16/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:59 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 12/16/09